

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ARGONAUT INSURANCE COMPANY,

Plaintiff

vs.

PAYSIGN, INC., MARK R. NEWCOMER,
MARK ATTINGER, DANIEL R. HENRY,
JOAN M. HERMAN, BRUCE A. MINA,
DANIEL H. SPENCE, DENNIS TRIPLETT,
and QUINN WILLIAMS,

Defendants

Case No. 2:23-cv-00713-RFB-NJK

**ORDER GRANTING
STIPULATION TO EXTEND TIME FOR
DEFENDANTS TO RESPOND TO
COMPLAINT**

(Sixth Request)

1 Pursuant to LR IA 6-1 and LR 7-1, the parties, through their respective counsel, stipulate
2 to extend the time for Defendants to file their response to Plaintiff's Complaint for Declaratory
3 Relief (ECF No. 1). The parties submit that good cause exists for this stipulation based on the
4 following:

5 1. Plaintiff filed its Complaint on May 5, 2023 (ECF No. 1).

6 2. The Complaint was served on defendant Paysign, Inc. on or about June 7, 2023.

7 3. Subsequent to this initial service, attorney Brian G. Friel, who represents Paysign,
8 Inc., advised that his office will be among the attorneys representing all Defendants, and agreed to
9 accept service of the Complaint on behalf of all remaining unserved Defendants.

10 4. As part of this procedural cooperation between the parties, the parties initially
11 agreed that all Defendants will have until July 28, 2023 to respond to the Complaint, and the parties
12 submitted a stipulation to this effect (ECF No. 17).

13 5. Since that time, the parties have been actively engaged in discussions regarding
14 the merits of the issues raised in the Complaint in an attempt to avoid the time and expense of further
15 litigation. To facilitate these ongoing discussions, the parties agreed that an additional 30-day
16 extension for Defendants to respond to the Complaint would be mutually beneficial. The parties
17 stipulated to this extension, which provided Defendants with an extension to respond to the
18 Complaint to August 28, 2023. (ECF No. 19). For these same reasons, the parties agreed to three
19 further additional 30-day extensions for Defendants to respond to the Complaint. (ECF Nos. 21, 22
20 and 25). The current response deadline is November 27, 2023. (ECF No. 25).

21 6. The parties continue to actively engage in settlement discussions, and have
22 enlisted the assistance of a mediator. These discussions involve three different related cases.
23 However, an agreement has not yet been reached. The parties agree that an additional 45-day
24 extension will be mutually beneficial to continue to facilitate the ongoing settlement dialogue, as
25 well as to provide additional time to account for the upcoming November, December and January
26 holidays. The parties therefore agree and respectfully submit that good cause exists for an additional
27 45-day extension, or to January 15, 2024, for Defendants to respond to the Complaint.

28

7. This stipulation constitutes the parties' sixth requested extension of time.

Dated this 14th day of November, 2023

Dated this 14th day of November, 2023

LEWIS BRISBOIS BISGAARD & SMITH LLP

LEMONS, GRUNDY & EISENBERG, PC

/s/ Jeffrey D. Olster

/s/ Christian L. Moore

Jeffrey D. Olster

Christian L. Moore

Nevada Bar No. 8864

Nevada Bar No. 3777

6385 S. Rainbow Boulevard, Suite 600

6005 Plumas Street, Third Floor

Las Vegas, Nevada 89118

Reno, Nevada 89519

Attorneys for Plaintiff

Attorneys for Defendants

ARGONAUT INSURANCE COMPANY

PAYSIGN, INC., MARK R. NEWCOMER, MARK

ATTINGER, DANIEL R. HENRY, JOAN M.

HERMAN, BRUCE A. MINA, DANIEL H.

SPENCE, DENNIS TRIPLETT and QUINN

WILLIAMS

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: November 15, 2023

NO FURTHER EXTENSIONS WILL BE GRANTED